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4 RUBY GRAPES, LLC,  
5 Plaintiff,  
6 v.  
7 MITCH SPALETTA, et al.,  
8 Defendants.

9 Case No. 20-cv-05302-DMR  
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**ORDER TO SHOW CAUSE WHY  
CASE SHOULD NOT BE  
TRANSFERRED**

12 Plaintiff Ruby Grapes, LLC filed a complaint on July 31, 2020. According to Plaintiff's  
13 complaint, the incidents that form the basis of its complaint took place in Lodi, California, and at  
14 least one Defendant is located in Lodi. Pursuant to 28 U.S.C. § 1391, a case may be filed in

- 15 (1) a judicial district in which any defendant resides, if all defendants  
16 are residents of the State in which the district is located;  
17 (2) a judicial district in which a substantial part of the events or  
18 omissions giving rise to the claim occurred, or a substantial part of  
19 property that is the subject of the action is situated; or  
20 (3) if there is no district in which an action may otherwise be brought  
21 as provided in this section, any judicial district in which any defendant  
22 is subject to the court's personal jurisdiction with respect to such  
23 action.

24 28 U.S.C. § 1391(b). Based on the allegations in the complaint, it appears that the proper venue  
25 for this case is the Eastern District of California because that is where "a substantial part of the  
26 events or omissions giving rise to the claim occurred." 28 U.S.C. § 1391(b)(2).

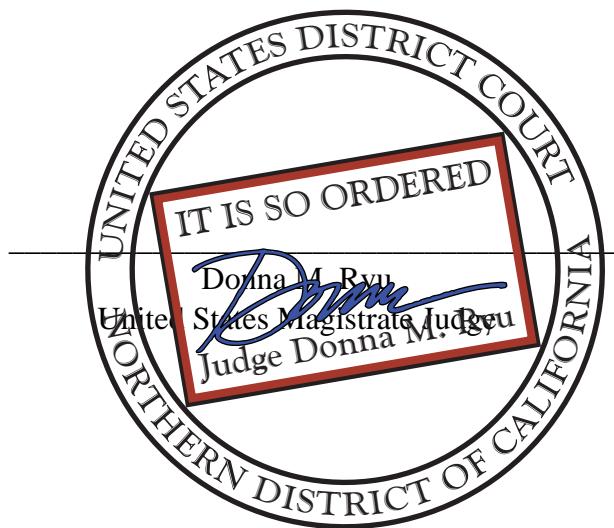
27 When a plaintiff files his or her case in the wrong district, the court must either dismiss the  
28 case or transfer it to the District Court in the correct district. *See* 28 U.S.C. § 1406(a). Thus,  
unless Plaintiff can show legal authority for venue in this district, the court will transfer the case to  
the Eastern District of California. Accordingly, IT IS HEREBY ORDERED that, **by no later  
than September 3, 2020**, Plaintiff shall file a statement explaining why this case should not be

United States District Court  
Northern District of California

1 transferred to the United States District Court for the Eastern District of California.  
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3 **IT IS SO ORDERED.**

4 Dated: August 27, 2020  
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